

Message Text

CONFIDENTIAL

PAGE 01 KHARTO 00373 191428Z

42

ACTION AF-18

INFO OCT-01 EUR-25 ISO-00 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SPC-03

SS-20 USIA-15 SY-03 AID-20 NEA-10 DRC-01 (ISO) W

----- 031825

R 191300Z FEB 74

FM AMEMBASSY KHARTOUM

TO SECSTATE WASHDC 7740

INFO AMEMBASSY BRUSSELS

C O N F I D E N T I A L KHARTOUM 0373

E.O. 11652: GDS

TAGS: PINS, SU

SUBJ: KHARTOUM ASSASSINATIONS - MAGISTERIAL INQUIRIES

REF: KHARTOUM 0262

1. SUMMARY: MAGISTERIAL INQUIRY PROCEEDED Apace OVER WEEKEND (FEB 16-18) WITH NEXT SESSION SCHEDULED FOR FEB 26. OF SIGNIFICANCE IN PROCEEDINGS SO FAR IS THAT ACCUSED MAY HAVE SECOND SET NAMES LONG KNOWN TO GOS BUT NOT DIVULGED TO USG. WE SHALL SEEK EXPLORE THIS QUESTION FURTHER. END SUMMARY.

2. MAGISTERIAL INQUIRY RESUMED ON SECHDULE (REFTEL) FEB 16 WITH MORNING SESSION THAT DAY, MORNING AND EVENING SESSION FEB 17, AND CLOSED SESSION FEB 18. PROCEEDINGS NOW ADJOURNED UNTIL FEB 26 DUE TO CONFLICT WITH ARAB INSURANCE CONFERENCE WHICH WILL BE OCCUPYING PEOPLE'S ASSEMBLY HALL (SCENE OF ALL INQUIRY SESSIONS TO DATE) DURING REMAINDER WEEK. LOCAL PRESS FEB 19 CITES PUBLIC PROSECUTOR AS SAYING NEXT SESSION WILL BE TO "FINALIZE" MATTER-I.E., PRESUMABLY END INQUIRY AND REFERRAL CASE FOR FORMAL TRIAL BEFORE SENIOR COURT. HOWEVER, SEPARATE SOURCE QUOTES PROSECUTOR AS STATING INQUIRY MAY TAKE SEVERAL DAYS THEREAFTER.

3. INQUIRY PROCEEDED ON SUMMARY BASIS WITH DEFENSE MAKING NO
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 KHARTO 00373 191428Z

FURTHER APPEALS OF MAGISTRATE' EARLIER DECISIONS NOR OTHERWISE

SEEKING DELAY OR OBSTRUCT. FIRST SESSION CONSISTED OF READING OF CASE DIARY BY POLICE COMMANDANT ABBAS MEDANI, AND ENDED WHEN DEFENSE OBJECTED ON LEGAL GROUNDS TO LETTER FROM SUDANESE AMBASSADOR BEIRUT TO MFA HERE CONCERNING FORGED VISAS EVIDENTLY USED BY TERRORISTS. (EMBASSY ATTORNEY SPECULATES THAT AS CLEARLY CRIMINAL (AS DISTINCT FROM POLITICAL) ACT SPECIFICALLY AGAINST SUDAN, FORGERIES REPRESENT ISSUE WHICH DEFENSE WISHED KEEP IN BACKGROUND.) MAGISTRATE AT NEXT SESSION FEB 17 DECLARED LETTER WOULD NOT BE CONSIDERED AS "OFFICIAL DOCUMENT" BUT IT COULD NEVERTHELESS BE INCLUDED IN MATERIAL BEFORE INQUIRY, WITH FURTHER DISPOSITION BEING LEFT TO SENIOR COURT IN DUE COURSE. MEDANI THEN CONTINUED READING DIARY WITH MOST INTERESTING POINT BEING DEFENDANTS' CLAIM THSQ THEY HAD BROUGHT MAJORITY OF THEIR WEAPONS WITH THEM THROUGH CUSTOMS AND THAT SOME OF BAGS HAD NOT BEEN SEARCHED.

4. MEDANI THEN WENT ON TO NOTE THAT POLICE HAD TAPED STATEMENTS BY ALL OF ACCUSED WHICH WERE TO BE PRESENTED TO COURT. TERRORIST LEADER RADZIK AL-QAS (ABU GHASSAN) RAISED NO OBJECTION TO HIS TAPED STATEMENT BEING HEARD IN OPEN COURT, BUT OTHER DEFENDENTS ASKED FOR CLOSED SESSION, CLAIMING THEIR STATEMENTS MADE REFERENCE TO THEIR OTHER NAMES, (I.E, OTHER THAN COVER NAMES USED IN PASSPORTS WHICH PUBLISHED EARLIER). THEY ASSERTED THAT IN CASES ELSEWHERE IN WHICH SUCH INFORMATION REVEALED, REPRISALS HAD FOLLOWED ON FAMILIESJD MAGISTRATE GRANTED THEIR REQUEST AND DECLARED THAT AFTER HEARING RIDZIK'S STATEMENT IYPRT WOULD BE CLOSED.

5. RIDZIK STATEMENT OCCUPIED TWO HOURS AT FEB 17 EVENING SESSION. QUALITY OF RECORDING WAS POOR AND EMBASSY OBSERVERS PRESENT HAD DIFFICULTY IN HEARING MUCH OF IT. (DEFENSE LIKEWISE COMPLAINED OF QUALITY AND ASKED FOR TRANSCRIPTS.) ONE POINT WHICH APPEARED CLEAR WAS THAT TERRORISTS CLAIMED THEIR ACTION DIRECTED PRIMARILY AT DCM MOORE FOR HIS ALLEGED INVOLVEMENT IN JORDANIAN MASSACRE SEPTEMBER, 1970, AND THAT OTHERS, INCLUDING AMBASSADOR NOEL, SIMPLY SWEV UP IN PROCESS.

6. COMMENT: SUMMARY PROCEEDINGS APPEAR BE DRAWING TO CONCLUSION (PERHAPS WITH VIEW ENDING PRIOR FIRST ANNIVERSARY MURDERS) WITH NO INDICATION THAT OUTCOME WILL BE OTHER THAN REFERRAL TO CONFIDENTIAL

CONFIDENTIAL

PAGE 03 KHARTO 00373 191428Z

HIGHER COURT. NEW DEFENSE TEAM (REFTEL) HAS, ACCORDING EMBASSY ATTORNEY, ADVISED DEFENDENTS THAT IT IN THEIR INTERESTS TO HAVE MATTERS MOVE AHEAD (C.F. KHARTOUM 141) AND APPARENTLY THIS ADVICE BEING TAKEN.

7. DISTURBING ELENDNTS IS (A) DEFENDENTS' CLAIM TO HAVE REVEALED TO GOS AUTHORITIES OTHER NAMES THAN THOSE SO FAR MADE PUBLIC, AND (B) MAGISTRATE'S HANDLING OF THIS ISSUE. RE LATTER POINT,

MAGISTRATE APPARENTLY HAD NO LEGAL JUSTIFICATION FOR GRANTING REQUEST FOR CLOSED HEARING. HE IN FACT ACKNOWLEDGED AS MUCH TO EMBASSY ATTORNEY STATING HE DID SO SIMPLY TO ACCELERATE INQUIRY PROCESS; THAT HIS MAIN OBJECTIVE AT THIS TIME WAS TO BRING INQUIRY TO END AND HE WANTED NO FURTHER DISPUTEES. OF MORE CONCERN IN FACT THAT, AS DEPT AWARE, GOS AUTHORITIES HAVE CONSISTENTLY DENIED TO US THAT TERRORISTS REVEALED NAMES BEYOND THOSE FICTITIOUS ONES CONTAINED IN PASSPORT. ON FACE DEFENDENTS' STATEMENTS, GOS MAY HAVE BEEN DELIBERATELY HOLDING BACK ON US. WE SHALL ENDEAVOR PURSUE THIS DEVELOPMENT WITH APPROPRIATE AUTHORITIES.
BREWER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ASSASSINATION, PRESS COMMENTS, PARAMILITARY FORCES, POLITICAL TRIALS, COURTS, TRIALS, EXTREMISTS
Control Number: n/a
Copy: SINGLE
Draft Date: 19 FEB 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: blochd0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974KHARTO00373
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740071-0264
From: KHARTOUM
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740225/aaaaaxbd.tel
Line Count: 127
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION AF
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: KHARTOUM 0262
Review Action: RELEASED, APPROVED
Review Authority: blochd0
Review Comment: n/a
Review Content Flags:
Review Date: 14 JUN 2005
Review Event:
Review Exemptions: n/a
Review History: RELEASED <01 APR 2002 by elyme>; APPROVED <03 JUN 2002 by golinofr>; WITHDRAWN <13 Jun 2005 by BoyleJA, PRIVACY>; RELEASED <14 JUN 2005 by powellba2>; APPROVED <17 JUN 2005 by blochd0>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: KHARTOUM ASSASSINATIONS - MAGISTERIAL INQUIRIES
TAGS: PINS, SU
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005